CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

SmartCape Conditions of use - isiXhosa

Making progress possible. Together.

Intshayelelo

1. Le Miqathango yokuSebenzisa imisela imigaqo yesiXeko saseKapa yokubonelela ngeenkonzo zeekhompyutha neziyelele kuzo eluntwini, neziquka i-intanethi ne-imeyile, yaye izama ukubonelela ngeengcebiso nangoncedo kubasebenzisi ekumele ukuba lulandelwe.

2. IsiXeko saseKapa siya kwenza iinzame ukuba ezi nkonzo zifumaneke kubasebenzisi be-SmartCape ngokuqhubekayo (ngexesha avule ngayo amathala eencwadi namanye amaziko oluntu), ngokungaphazamisekiyo, neenkonzo ezingenaziphene, ngokuxhomekeke kwimigaqo nemiqathango emiselwe apha.

Imiqathango yokusebenzisa jikelele

3. Umsebenzisi ngamnye wamaziko eSmartCape uvumeleke ukuba abhalise kube kanye kuphela yaye uya kusebenzisa igama lomsebenzisi kunye negama eliyimfihlo (i-username ne-password). Naphantsi kwayiphi na imeko akuvumelekanga ukuba abantu babhalise njengomsebenzi amatyeli amaninzi, okanye babhalise ngamagama amaninzi.

4. Umsebenzisi ngamnye we-SmartCape uqinisekisa/ugunyazisa ukuba ngexesha lenkqubo yobhaliso, uyavuma: (a) ukunikezela ngolwazi oluchanekileyo, olwakutsha nje nolupheleleyo, kunye (b) nokugcina nokuhlaziya olu lwazi ukuze lugcinwe luchanekile, lulwangoku yaye luphelele. Ukuba isiXeko saseKapa sithe safumanisa okanye sakrokrela ukuba iinkcukacha ezithile zomsebenzisi azinabunyani, zidlulelwe lixesha okanye aziphelelanga, isiXeko saseKapa sinelungelo lokulirhoxisa okanye lokulinqumamisa kwaphela ilungelo lokusebenzisa inkonzo ye-Smart Cape, kwangoko yaye ungaziswanga, yaye singaphinde sikuvumele ukuba uyisebenzise le nkonzo.

5. Ngokuyinxalenye yenkqubo yobhaliso, umsebenzisi ngamnye kumele azikhethele igama lomsebenzisi negama eliyimfihlo. Eli gama lomsebenzisi neliyimfihlo (i-user name ne-password) kuvumeleke ukuba asetyenziswe kumsebenzisi wawo wokuqala kuphela; akuvumelekanga ukuba abasebenzisi badlulisele iinkcukacha zabo kwabanye abantu nokuba kungesiphi na isizathu, kuqukwa nokuvumela omnye umntu enze ngathi ungoyena msebenzisi weli gama kuba efuna ukufikelela kwiinkonzo ze-SmartCape. Umsebenzisi ngamnye unoxanduva lokugcina iinkcukacha zakhe ziyimfihlo (i-user name ne-password) kuzo zonke izinto eziphathelene nazo. Ukuba umsebenzisi uthe wanolwazi lokusetyenziswa ngokungekho mthethweni kwegama lakhe nelo liyimfihlo (i-user name ne-password), kufuneka azise amagosa eSmartCape ngokukhawuleza. Ngaphezulu, akuvumelekanga ukuba umsebenzisi adlulise okanye athengise iinkcukacha zakhe zokusebenzisa le nkonzo kwabanye abantu.

6. Umsebenzisi we-SmartCape uthembisa ukusebenzisa izixhobo ezibonelelwa kumaZiko obuxhakaxhaka beekhompyutha ze-SmartCape ngeenjongo elingiselelwe zona le nkonzo kuphela yaye ngendlela ekuphakanyiswe ukuba isetyenziswe ngayo (njengoko kuchaziwe apha ngasentla), yaye angenzi enye into eya kuthintela ukuba ezi zixhobo zisetyenziswe kwakhona ngabanye abasebenzisi abavumelekileyo. Ngenxa yoko umsebenzisi uthembisa ukuba nenkathalo efanelekileyo xa esebenzisa ezi zixhobo, yaye uyavuma ukungazibhuca-bhuci, azitshintshe, okanye azonakalise ngayo nayiphi na indlela ezi zixhobo.

7. IsiXeko saseKapa siso kuphela esinelungelo lokubonelela, ukuqulunqa kunye nokulondoloza zonke izixhobo ezinokuba yimfuneko ukuba abasebenzisi beekhompyutha ze-SmartCape bafumane iinkonzo ezibonelelwa sisiXeko saseKapa ngokungqinelana, kuqukwa, kodwa kungalinganiselwanga, kuzo zonke izixhobo zoomatshini bekhompyutha, iinkqubo zekhompyutha nezixhobo zonxibelelwano ezinokuba yimfuneko nezinokufunwa ngabasebenzisi be-SmartCape ukuze baxhamle iinkonzo ezibonelelwa apha. Abasebenzisi beekhompyutha ze-SmartCape bayavuma ukuba abanalungelo okanye zinyanzeliso kulo mbandela.

8. Iinkonzo ze-SmartCape zisebenzisa iinkqubo zekhompyutha ezisekelwe kwi-FOSS (iiNkqubo zeMithombo yeKhompyutha eziSimahla neziVuleleke nakubani na). IsiXeko saseKapa sigcine onke amalungelo aphuhliswe kwiinkqubo zekhompyutha ezilungiselelwe amaziko aneenkqubo ze-SmartCape. Abasebenzisi abavumelekanga ukuba batshintshe, okanye bakope iinkqubo zekhompyutha ezifakelweyo, okanye bafakelwe ezinye iinkqubo zekhompyutha kwiikhompyutha ezikumaziko eSmartCape.

9. Umsebenzisi weenkonzo ze-Smart Cape uyavuma ukuba:

- Iinkonzo ze-SmartCape zibonelelwa ngobutyala bomsebenzisi.
- IsiXeko saseKapa asiniki siqinisekiso ngokuphathelene noku kulandelayo:
- Ukufumaneka kweekhompyutha neenkqubo ezisetyenziswa kuzo ngelo xesha.
- ukufumaneka kothungelwano lwezonxibelelwano olungenangcingo
- ukufumaneka kwenkonzo ye-imeyile ye-SmartCape
- ukufumaneka ngokukhawuleza kwendlela yokufikelela kwi-intanethi; okanye
- ukubaluleka kweekhompyutha neenkqubo ezifumaneka kuzo ngenjongo ethile.

10. IsiXeko saseKapa sinakho, ngokuhamba kwexesha singakhuphanga sibhengezo kubasebenzisi be-SmartCape, ukurhoxisa okanye ukunqumamisa iinkonzo zaso xa kunokwenzeka enye yezi zinto zilandelayo:

Ukungasebenzi kwezixhobo zobuchwepheshe, ukuguquka okanye ukulungiswa kwenye yezi nkonzo okanye izixhobo kusetyenziswa kwazona ezi nkonzo zibonelelweyo, okanye kuthungelwano lwe-SmartCape lwesiXeko saseKapa;
Ukuba umsebenzisi we-SmartCape:

- akaphumeleli ukuthobela nayiphi na kule migaqo nemiqathango yesi sivumelwano; okanye
- uvumela ukuba kwenziwa nantoni na, elithe igosa elonyulwe sisiXeko saseKapa, inganempembelelo engathandekiyo kwindlela yokusebenza kothungelwano lwenkonzo yeSamrtCape yesiXeko saseKapa, ubonelelo lweenkonzo kubasebenzisi be-SmartCape okanye kuye nawuphi na omnye umsebenzisi wenkonzo ye-SmartCape, okanye kundiliseko nodumo lwesiXeko saseKapa; okanye
- ukusetyenziswa ngendlela engeyiyo okanye ukunukunezwa kweenkonzo nezixhobo ezibonelelwa ngale nkonzo
- ngenxa yoko isiXeko saseKapa siya kuzinqumamisa iinkonzo ezinikezelwa kubasebenzisi okanye, bonke abasebenzisi, okanye ukuguqula le Miqathango yokuSebenzisas ukuze

ibandakanye ukuhlawuliswa komrhumo ekuyimfuneko ukuba uhlawulwe ngabasebenzisi.

11. IsiXeko saseKapa sinelungelo yaye sigunyaziselwe ukuguqula naliphi na igama, ikhowudi, inombolo okanye isaziso sokungena kwinkqubo (log-in ID) eyabelwe okanye evunyelwe sisiXeko saseKapa ukuba isetyenziswe ngulo msebenzisi we-SmartCape yaye umsebenzisi uya kuthembisa ukukhusela isiXeko saseKapa kuyo nayiphi na ilahleko okanye uthatho-xanduva olunokubangelwa lolo tshitsho.

12. Umsebenzisi wenkonzo ye-SmartCape uyavuma ukuba kwimeko eqhelekileyo yonikezelo ngeenkonzo, lungakho uphazamiseko lwethutyana nalapho isiXeko saseKapa singasayi kuthatha xanduva lawo nawuphi na umonakalo owenzekileyo nokuba ngowaluphi na uhlobo.

13. IsiXeko saseKapa asisayi kuthatha xanduva lazo naziphi na iziphumo zolibaziseko ekufikeleleni kwi-intanethi okanye uxanduva lomonakalo oya kukwenzeka, iindleko okanye inkcitho neyaluphi na uhlobo eya kuthi yenziwe ngumsebenzisi we-SmartCape okanye nokuba nguwuphi na omnye umntu.

14. Umsebenzisi wenkonzo ye-SmartCape uyavuma ukuba unolwazi ngezithintelo zeenkonzo eziza kuchazwa apha kunye nokuba umgangatho wenkonzo nomthamo wonikezelo lwenkonzo uxhomekeke kuthungelwano lweekhompyutha ze-SmartCape zesiXeko saseKapa nobuxhakaxhaka bothungelwano ngabanikezeli ngeenkonzo baso, kunye nokuba ezi nkonzo zisenokuchaphazeleka ngokungalunganga ngamaxesha athile ngenxa yezizathu ezohlukeneyo isiXeko saseKapa esingenalawulo kuzo.

Iinkonzo zenkxaso

15. Umsebenzisi wenkonzo ye-SmartCape uyavuma ukuba, ngokwendlela iinkonzo ezibonelelwa ngayo sisiXeko saseKapa zinikezelwa ngokusekelwe ekubeni "akukho miqathango ifihlakeleyo, akukho ziqinisekiso", isiXeko saseKapa asisayi kubopheleleka ukuba sinike inkxaso kubasebenzisi benkonzo ye-SmartCape.

16. Xa kunokwenzeka umsebenzisi wenkonzo ye-SmartCape afumane ingxaki yezobuchwepheshe kubonelelo ngeenkonzo ze-SmartCape sisiXeko saseKapa, umsebenzisi lowo we-SmartCape uvumelekile ukuba acele uMlawuli weZiko leekhompyutha ukuba atsalele iDesika yoNcedo ye-Smart Cape kule nombolo yomnxeba: 021 400 3434 nalapho ingxaki leyo iya kuthi ishicilelwe ze ijongwe ilungiswe.

17. IsiXeko saseKapa asiqinisekisi bani nangoluphi na uhlobo, okanye naluphi na olunye uhlobo lwesithembiso ukuba siya kukwazi ukuyisombulula okanye ukuyilungisa nayiphi na ingxaki kwezo ziziswe kuso njengoko kuchaziwe apha ngasentla.

Ukhuseleko

18. Abasebenzisi bavumelekile ukuba basebenzise ezi khompyutha zifumaneka kumaZiko eSmartCape besebenzisa igama lomsebenzisi nelo liyimfihlo (i-username ne-password) abazikhethele zona kuqala nezithe zabelwa kubo, okanye abazinikwe ngenxa yokuba

belahlekelwe ngamagama abo abasebenzisi nayimfihlo. Abasebenzisi abavumelekanga ukuba basebenzisa igama lomsebenzisi lomnye umntu nangaliphi na ixesha nangasiphi na isizathu.

19. Umsebenzisi ngamnye we-SmartCape makathathe amanyathelo enkathalo ukuthintela ukusetyenziswa ngokungekho mthethweni kweekhompyutha ze-Smart Cape ngabanye abantu, kuqukwa nabantu abangabhaliswanga. Umsebenzisi ngamnye unoxanduva lokuzikhethela igama eliyimfihlo, nekuyimfuneko ukuba ligcinwe liyimfihlo. Abasebenzisi kufuneka bawatshintshe amagama abo ayimfihlo ukuba bakrokrela ukuba asengozini.

20. IsiXeko saseKapa kunye nabasebenzisi beekhompyutha ze-SmartCape banolwazi olucacileyo ukuba kunzima ukugcina ulwazi olunikezelweyo lukhuseleke kwaphela, okanye unaniselwano olwenziweyo, kwi-intanethi.

21. Ukuze siqinisekise ukhuseleko nokusebenza ngokuthembekileyo kothungelwano lwenkonzo ye-SmartCape yesiXeko saseKapa kubo bonke abasebenzisi be-SmartCape, ngenxa yoko isiXeko saseKapa sinelungelo lokuthatha nokuba ngawaphi na amanyathelo anothathwa njengafanelekielyo sisiXeko saseKapa xa silondoloza ukhuseleko nokuthembeka kothungelwano lwenkonzo ye-SmartCape.

22. Umsebenzisi we-Smart Cape uyathembisa yaye uyaqinisekisa ukuba akasayi kusebenzisa iinkonzo ze-Smart Cape ngenjongo ebeka emngciphekweni ukhuseleko okanye abhucabhuce uthungelwano lwesiXeko saseKapa, okanye naluphi na ulwazi oluqulethwe kuthungelwano lwesiXeko saseKapa okanye nakuyiphi na enye ikhompyutha esetyenziswa sisiXeko saseKapa, okanye nokuba yeyowuphi na umntu okanye umbutho.

Imigaqo yokuziphatha kwabasebenzisi kunye nezohlwayo kwabo bangayithobeliyo

23. Umsebenzisi wenkonzo ye-SmartCape uthembisa, yaye uqinisekisa ukuba, uya kuyithobela imigaqo eyamkelekileyo yokusetyenziswa kwe-intanethi yaye uya kuzithobela iZikhokelo Jikelele zokusetyenziswa kwe-Intanethi kunye neMigaqo Jikelele eLawula ukuSetyenziswa kwe-Intanethi yesiXeko saseKapa (jonga iSahluko 1 seMiqathango yokuSebenzisa), nenokulungiswa ngokuhamba kwexesha ngokokubona kwesiXeko saseKapa, (yaye ngenxa yoko umsebenzisi wenkonzo ye-Smart Cape uthembisa isiXeko saseKapa, yaye uyasikhulula isiXeko saseKapa kulo naluphi na uxanduva, ngokuphathelene nayo nayiphi na ilahleko okanye umonakalo nokuba ngowaluphi na uhlobo obangelwe kukophulwa kwesi sithembiso) nemigaqo-nkqubo equka kodwa engalinganiselwanga kwizikhokelo ezichazwe ngezantsi apha:

- ukungazibandakanyi kuyo nayiphi na indlela yokusebenzisa ngendlela engeyiyo kwe-imeyile okanye ukuthunyelwa kwee-imeyile ezingacelwanga kubantu abaninzi, kuqukwa kodwa kungalinganiselwanga, ekubhengezeni amanqaku angacelwanga anomyalezo omnye (okanye ukuthunyelwa komyalezo ofanayo kubantu abaninzi) kubantu abangaphezu kwaba-5 (abahlanu) iqela labo bafumana iindaba abangacelanga kuzifumana;
- ukungathumeli okanye ukuhambisa nawuphi na umyalezo, ulwazi, imifanekiso okanye inkqubo eyenyelisayo, ethukayo, ecalu-calulayo, ephazamisayo, ekhubekisayo, enamanyala, nokuba injani na ebonisa izinto zesondo, okanye engahloneli amalungelo oluntu;

- ukungathumeli okanye ukuhambisa nawuphi na umyalezo, ulwazi, imifanekiso okanye inkqubo ekhubekisayo, eyoyikisayo, enukunezayo, ekhathazayo, eyonzakalisayo okanye enentiyo kwabanye; okanye ebhengeza ukonzakalisa ngokusekelwe kwisini, ubuhlanga, ukuzikhethela isini osiso, ubudala, inkolo okanye ezopolitiko, ubuzwe, izifo, okanye ukukhubazeka ngokwamalungu omzimba okanye ngokwasengqondweni;
- ukungadlulisi, ukusasaza okanye ukugcina naluphi na ulwazi olungathobeli umthetho okanye umgaqo, kuqukwa kodwa kungalinganiselwanga kulwazi olukhuselwe ngokwelungelo lokushicilela, uphawu lwentengiso, imfihlo yentengiso okanye nawaphi na amanye amalungelo obunini propati;
- ukungathumeli okanye ukuhambisa nawuphi na umyalezo, ulwazi, imifanekiso okanye inkqubo engawathobeliyo amalungelo obunini propati babanye;
- ukungaphazamisi ukusebenza kwe-intanethi ngabanye abasebenzisi benkonzo ye-Smart Cape okanye ngabanye abasebenzisi;
- ukungathumeli okanye ukuhambisa naluphi na uxwebhu olunesitshabalalisi, imifanekiso etshabalalisayo okanye nazo naziphi na ezinye izinto ezonakalisayo, nokuba lo monakalo awuyonjongo yomsebenzisi wenkonzo ye-SmartCape;
- ukungacimi iposi ye-Usenet ngaphandle kwabalawuli babasebenzisi be-SmartCape;
- ukubathumeli imiyalezo engacelwanga ye-imeyile, kuqukwa, ngaphandle kokulinganiselwa, imiyalezo ethunyelwa kwiqela labantu engacelwanga, imiyalezo elahlekisayo ethi 'yenza imali ngokukhawuleza', iileta ezicela ukuba kudluliswe iikopi zazo, izibhengezo-ntengiso zorhwebo kunye nezibhengezo zolwazi, kunye nokuthunyelwa rhoqo kwemiyalezo engenasizathu engekho mxholweni kumaqela eendaba;
- ukungaqokeleli iidilesi zee-imeyole kunye/okanye amagama abantu ngenjongo yorhwebo, yezopolitiko, yesisa okanye ezifana nezo;
- ukungahloneli imfihlo zakhe nawuphi na umntu okanye ukungahloneli ukhuseleko lwayo nayiphi na inkqubo okanye uthungelwano, noluquka kodwa olungalinganiselwanga koku:
- ukufikelela ngokungekho mthethweni kulwazi oluthile;
- ukufikelela ngokungekho mthethweni kuvimba wolwazi okanye ukusebenzisa ulwazi, iinkqubo okanye uthungelwano, kuqukwa naziphi na iinzame zokuphanda, ukusinga-singa okanye ukuvavanya ubuthathaka benkqubo okanye bothungelwano oluthile, okanye ukophula imigaqo yokhuseleko okanye amanyathelo okuqinisekisa ubunyani bolwazi ngaphandle kwesigunyaziso esifanelekileyo somnini walo nkqubo okanye uthungelwano;
- ukujonga ngaphandle kwesigunyaziso ulwazi oluthile okanye ukuhambisa ulwazi olungekho mthethweni kuthungelwano okanye kwinkqubo ethile ngaphandle kwesigunyaziso esifanelekileyo somnini walo nkqubo okanye uthungelwano;
- ukunganiki umfanekiso ongewuwo ngomntu onoxanduva lwalo i-meyile okanye lweminye imiyalezo ethunyelwa nge-imeyile (umzekelo: ngokusebenzisa idilesi ye-imeyile yomnye umntu ngaphandle kwemvume, ngenkqubo yokuthumela imiyaleso ye-imeyile ngedilesi engeyonyani (IP spoofing), okanye ngokuguqula imiyalezo yabanye abantu ngaphandle kwemvume);
- ukungathobeli nawuphi na umthetho, umgaqo okanye umrhumo onokuthi umiselwe eMzantsi Afrika okanye naphi na. Kule meko, umsebenzisi wenkono ye-Smart Cape uthembisa ukuziqhelanisa, kunye nokuqinisekisa ukuba usoloko enikwa ulwazi, ngazo

naziphi na izilungiso kulo mithetho, imigaqo okanye imirhumo enokunyanzeliswa ngokuhamba kwexesha nenokuthintela umsebenzisi wenkonzo ye-Smart Cape ukuba afikelele, okanye asebenzise i-intanethi;

- ukungenzi nasiphi na isenzo okanye ukungayekeli nasiphi na isenzo esingamkelekanga okanye esikhubekisayo kwabanye abasebenzisi be-intanethi jikelele, eluntwini ngokubanzi okanye ngokokubona kwesiXeko saseKapa ngokuhamba kwexesha kuluvo lwaso sisoswa nolulolokugqibela, kuqukwa kodwa kungalinganiselwa ekuxhomeni okanye ekuhambiseni imifanekiso nezinto zesondo;
- ukungophuli imiqathango yomgaqo-nkqubo wenkonzo ye-Smart Cape, enokuhlaziywa ze ipapashwe okanye ifumaneke kwiwebhusayithi ye-Smart Cape ngokuhamba kwexesha;
- ukungenzi nantoni na, ethi iphembelele, okanye enokuba nempembelelo, yokonakalisa igama isidima nodumo lwesiXeko saseKapa, amacandelo aso olawulo, amasebe okanye imibutho yaso;
- ukungenzi isenzo okanye ukuyeka into enokuba nempembelelo yezobuchwepheshe engalunganga kwisidima okanye kwindlela yokusebenza kothungelwano lwenkonzo ye-Smart Cape;
- ukungathengisi kwakhona okanye ukunikezela kwabanye abantu, ngayo nayiphi na indlela nokuba ubanika ngqo okanye ngokungathanga ngqo, ziinkonzo zonke nokuba yinxalenye yazo ezinikezelwe kuye sisiXeko saseKapa;
- ukunganiki okanye ukunikezela kwabanye abantu iinkukacha angena ngazo kolu thungelwano, i-log-in ID (igama lomsebenzisi neliyimfihlo) kuye nabani na ukuba alisebenzisele ezakhe iinjongo, yaye uyathembisa ukuthatha nawaphi na amanyathelo anokuba yimfuneko ukuqinisekisa ukhuseleko nokugcinwa kolwazi oluyimfihlo kwezo nkcukacha zokungena kuthungelwano kunye namagama ayimfihlo nezinokunikezelwa sisiXeko saseKapa ukuze zisetyenziswe ngumsebenzisi wenkonzo ye-Smart Cape, yaye akusayi kubhengeza ezi nkcukacha komnye umntu ngaphandle kwemvume ebhaliweyo yesiXeko saseKapa;
- ukungasebenzisi igama lakhe lomsebenzisi nelo liyimfihlo ('i-log-in ID') ukungena ngaxeshanye kwiikhompyutha ezigaphezu kwenye, nokungavumeli nabani na ukuba afumane, okanye asebenzise, ezi nkcukacha eziyi-log-in ID;
- ukungophuli namnye kwimigaqo elungisiweyo yalo mgaqo-nkqubo nezikhokelo ezithi zixhonywe ngokuhamba kwexesha kwiwebhusayithi ye-Smart Cape.

24. Xa kunokwenzeka ukuba umsebenzisi wenkonzo ye-Smart Cape azibandakanye kuso nasiphi na isenzo kwezi zikhankanywe kweli candelo (IMIGAQO YOKUZIPHATHA KWABASEBENZISI NEZOHLWAYO KWABO BANGAYITHOBELIYO), neya kumiselwa ngokokubona kwesiXeko saseKapa yaye isigqibo saso siya kuba sesokugqibela, ngoko ke isiXeko saseKapa siya kuba nelungelo, ngaphandle kokuthatha icala kula malungelo aso:

- ukumisa okanye ukunqumamisa, ngaphandle kwesaziso, ubhaliso lomsebenzisi we-Smart Cape kunye/okanye ilungelo lakhe lokufikelela kwiinkonzo;
- ukuthumela ityala kumsebenzisi we-Smart Cape ngazo naziphi na iindleko ezenziwe sisiXeko saseKapa, kuqukwa, kodwa kungalinganiselwanga, ixesha elichithekileyo, iindleko zobhaliso, ixesha elimoshekileyo, ukusetyenziswa kwegama lesiXeko saseKapa okanye igama elibhalisiweyo leziko, imijikelo ye-CPU;

- ukwazisa bonke abantu abathe bafumana imiyalezo engacelwanga ekhubekisayo okanye abathe bachaphazeleka ngokungalunganga sisenzo sokunikezelwa kweenkcukacha zabo ebantwini ngulo msebenzisi we-Smart Cape;
- ukuba eso senzo sithe sanempembelelo yobuchwepheshe engamkelekanga kuthungelwano lwesiXeko saseKapa, kuya kufuneka ukuba umsebenzisi lowo we-Smart Cape athathe amanyathelo afanelekileyo ukulungisa le meko ngezakhe iindleko;
- ukunqumamisa esi sivumelwano ngokohlobo esiphathelene ngayo nomsebenzisi othile; kunye
- nokuthatha amanyathelo asemthethweni kuqukwa kodwa kungalinganiselwanga ekutshutshisweni ngolwaphulo-mthetho phantsi kwemithetho efanelekileyo elawulayo ngelo xesha eMzantsi Afrika.

Ukulinganiselwa kothatho-xanduva

25. Nangona kukho izinto ezichasene noku kwesi sivumelwano, isiXeko saseKapa asisayi kuthatha xanduva lomsebenzisi we-SartCape okanye nakuwuphi na omnye umntu ngayo nayiphi na ilahleko okanye umonakalo nokuba ngowaluphi na uhlobo obangelwe okanye odaleke ngenxa yenye yezi meko zilandelayo, yaye umsebenzisi we-SmartCape ngenxa yoku uya kukhusela isiXeko saseKapa kuwo nawaphi na amabango aphathelene nalo lahleko okanye umonakalo:

naluphi na uluvo okanye imeko engaphaya kwamandla esiXeko saseKapa;
nakuphi na ukungapheleli kweenkonzo ezinikezelwa ngababoneleli benkonzo yothungelwano kwisiXeko saseKapa (kuqukwa, kodwa kungalinganiselwanga ekuphanzeni kwecandelo elithile);
ukusebenza okanye ukungafumaneki kothungelwano lwe-SmartCape, okanye naluphi na olunye uthungelwano ngonxibelelwano eziqhagamshelwe kuzo iikhompyutha zothungelwano lwenkonzo ye-SmartCape okanye ezinye iikhompyutha ze-SmartCape;
nayiphi na ingxaki yezobuchwepheshe kwiinkonzo ezibonelelwa sisiXeko saseKapa, okanye ukunqunyanyiswa okanye uphazamiseko kwindlela yokusebenza yayo nayiphi na inkonzo yesiXeko saseKapa ngokungqinelana nesi sivumelwano, ngenxa yeengxaki ezithe ngqo okanye ezingathanga ngqo zobuchwepheshe, kuqukwa kodwa kungalinganiselwa kwimeko yokungafumani indlela yokufikelela kuyo nayiphi na iwebhusayithi okanye kulwazi oluqulethwe kwi-intanethi;
ukwaphulwa kwawo nawuphi umgaqo wemfihlo okanye wokhuseleko nguye nabani na okanye iqumrhu eliya kuthi lichaphazeleke kuthungelwano lwe-SmartCape okanye naluphi na unxibelelwano lothungelwano ekunokuba luqhagamshelwe kulo;
ukulahleka, ukonakala, ukutshatyalaliswa, ukubiwa, ukungcoliswa okanye ukumoshwa kolwazi olugciniweyo, iinkcukacha okanye umxholo ofumaneka ngokuthi ungene kuthungelwano lwe-Smart Cape;
ukulondolozwa kunye nentsulungeko yalo naluphi na uxwebhu okanye ulwazi olukuvimba, iinkcukacha okanye umxholo wolwazi ofumaneka ngokuthi ungene kwi-inatanethi;
naluphi na uhlobo lokupapashwa okanye ukusetyenziswa kwalo naluphi na ulwazi okanye iinkcukacha eziqulethwe kwi-intanethi;
indlela yokusebenzisa inkonzo ye-Smart Cape ngabasebenzisi bale nkonzo, okanye ukufikelela kwi-intanethi;

ukungaphumeleli komsebenzisi wenkonzo ye-Smart Cape ukuthobela le miqathango ngokwemigaqo yesi sivumelwano, kuqukwa kodwa kungalinganiselwanga ekungaphumelelini ukuthobela naziphi na izikhokelo ezimiselwe kolu xwebhu lweMiqathango yokuSebenzisa
26. Kungalinganiselwanga ukuba le miqathango ingasentla ijoliswe kuluntu jikelele, isiXeko saseKapa asisayi kuthatha xanduva layo nayiphi na ilahleko esisiphumo okanye ehamba nale miqathango yomsebenzisi we-Smart Cape okanye nabani na, yaye ngenxa yoko umsebenzisi ukhusela yaye uthembisa isiXeko saseKapa ukuba asisayi kubandakanyeka kulo naliphi na ibango okanye uthatho-xanduva, kuqukwa kodwa kungalinganiselwanga kwilahleko yengeniso, ilahleko yeshishini ebelisenziwa kunye/okanye inzondelelo.

27. Umsebenzisi we-Smart Cape uqonda kakuhle ukuba isiXeko saseKapa asisebenzisi, asilawuli okanye ukungqinela naluphi na ulwazi, iimveliso okanye inkonzo enikezelwa okanye efumaneka ngokuthi ungene kwi-intanethi, kunye nokuba eli qumrhu aliboneleli ngolwazi, iimveliso okanye iinkonzo, yaye alibambisananga nangayiphi na indlela nesiXeko saseKapa. Ngaphezulu isiXeko saseKapa asisebenzi njengommeli/i-arhente yeli qumrhu, yaye isiXeko saseKapa asiniki ngcaciso yaziqinisekiso okanye izithembiso kumsebenzisi okanye nakubani na nangayiphi na indlela ngokolwazi, iimveliso okanye iinkonzo. Ngokukodwa, isiXeko saseKapa asamkeli butyala ngalo naluphi na uthatho-xanduva yaye ngenxa yoko umsebenzisi uya kukhusela isiXeko saseKapa kulo naliphi na ibango okanye uthatho-xanduva olunokuvela kulo naluphi na ulwazi, imveliso okanye iinkonzo ezibhengezwe njengezithengiswayo, eziphathelene okanye ezixhonywe kwiwebhusayithi yesiXeko saseKapa okanye ezifumaneka kuthungelwano lwe-Smart City.

28. Akusayi kucuthwa okanye kurhoxiswe nayiphi na kule Miqathango yokuSebenzisa sisiXeko saseKapa okanye ulibaziseko ekumiselweni kwemigaqo yale Miqathango yokuSebenzisa naphantsi kwayiphi na imeko eya kucaciswa njengenika imvume okanye ukonyulwa sisiXeko saseKapa okanye oya kusebenza njengorhoxisa okanye ongena endaweni okanye ophembelela amalungelo esiXeko saseKapa ngenxa yale Miqathango yokuSebenzisa okanye emisa okanye enqanda isiXeko saseKapa ekunyanzeliseni nangaliphi na ixesha yaye ngaphandle kokwazisa, ukuthotyelwa ngokungqongqo nangexesha umqathango ngamnye okanye imigaqo yeMiqathango yokuSebenzisa.

Olu shicilelo lukhutshwe ngomhla wama-25 Janyuwari 2010